

**DISTRICT JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – TUCSON**

U.S. District Judge: Raner C. Collins

Date: February 1, 2018

USA v. Lonnie Ray Swartz

Case Number: CR-15-01723-001-TUC-RCC (DTF)

Assistant U.S. Attorney: Wallace Kleindienst and Mary Sue Feldmeier

Attorney for Defendant: Sean Chapman and Jaime Calle, Retained

Deputy Clerk: Sherry Gammon

Court Reporter: Erica McQuillen

Interpreter: Sandy Frady (for victim's family)

Defendant: ☐ Present ☒ Present ☒ Released ☐ Custody ☐ Summons

MOTION HEARING:

Matter comes before the Court to address all outstanding motions.

The Motion for Disclosure (Doc. 263) filed by the Defendant is argued by Mr. Calle and Ms. Feldmeier. The Court takes the motion UNDER ADVISEMENT.

The Motion in Limine to Preclude Evidence of Defendant's Army Service and Personnel Records (Doc. 272) filed by the Defendant is argued by Mr. Chapman and Mr. Kleindienst. The Court takes the motion UNDER ADVISEMENT.

The Motion to Preclude Cumulative Expert Testimony (Doc. 273) filed by the Defendant is MOOT, as the parties have agreed to a resolution.

The Motion in Limine Concerning Civil Litigation (Doc. 277) filed by the Government is MOOT, as the parties have agreed to a resolution.

The Motion in Limine to Preclude Defendant From Referring to Potential Punishment (Doc. 280) filed by the Government is MOOT, as it is not at issue.

The Motion in Limine to Preclude Testimony of the Victim's Family (Doc. 283) filed by the Defendant is MOOT as the parties have agreed to a resolution.

The Motion in Limine re Employment Status (Doc. 292) filed by the Defendant is MOOT as the parties have agreed to a resolution.

For case management purposes, the Motion for Leave to Call Rebuttal Witness re Daubert Hearing, Doc. 94 Defendant's Motion Under Daubert and Federal Rules of Evidence 403 and Federal Rules of Evidence 702 to Determine Admissibility of Video Evidence (Doc. 192) filed by the Government was previously granted. The Motion to Bring Jury to Crime Scene (Doc. 288) filed by the Defendant

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remains at issue and will be addressed following the filing of the Government's response and Defendant's reply.

Motion Hearing: 58 minutes

Start: 1:30 p.m.

Stop: 2:28 p.m.